IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO.291 OF 2007

IN

SUIT NO.3259 OF 1986

Union of India ...Appellants

v/s

Maharashtra Small Scale Industrial Development Corporation Ltd. ...Respondents

Mr T.J. Pandian for Appellants.

None for Respondents.

CORAM : D.K. DESHMUKH J.

DATE : 28TH AUGUST 2007.

P.C. :-

1. The respondents are served, they are not appearing. The appellants who were original defendants challenge the order dated 22nd January 2007 passed in suit No.3259 of 1986. By that order, the learned Single Judge has passed decree in favour of the plaintiffs and against the appellants - defendants because the defendants did not file written statement. We have heard learned counsel appearing for appellants. We have perused the record. Considering the willingness of the appellants to deposit the entire decretal amount, which we have recorded in the order dated 14th August 2007, in our opinion, following order would meet the ends of justice.

2. On the appellants depositing the decretal amount as per the order dated 14th August 2007, the order impugned in the appeal shall stand set aside. The suit of the plaintiffs shall stand restored. In case the defendants file their written statement within a period of two weeks from the date of deposit of the decretal amount, it be taken on record. The suit be placed before appropriate Court for further orders thereafter. Appeal is disposed off.

. Parties to act on the copy of this order duly authenticated by the Associate / Private Secretary as true copy.

. Certified copy expedited.